

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:20-cv-00054-MR-WCM

WILLIAM MOSIER, )  
Plaintiff, )  
vs. )                   ORDER  
SOUTHEAST ENERGY, LLC and )  
ANNE E. DYER, )  
Defendants. )

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**THIS MATTER** is before the Court on the Defendants' Motion to Dismiss [Doc. 3] and the Magistrate Judge's Memorandum and Recommendation [Doc. 9] regarding the disposition of that motion.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable W. Carleton Metcalf, United States Magistrate Judge, was designated to consider the Defendants' motion and to submit a recommendation for its disposition.

On May 26, 2020, the Magistrate Judge filed a Memorandum and Recommendation in this case containing conclusions of law in support of a recommendation regarding the Defendants' motion. [Doc. 9]. The parties were advised that any objections to the Magistrate Judge's Memorandum

and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has now expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's recommendation that the Defendants' Motion to Dismiss should be denied.

**IT IS, THEREFORE, ORDERED** that the Memorandum and Recommendation [Doc. 9] is **ACCEPTED**, and the Defendants' Motion to Dismiss [Doc. 3] is **DENIED**.

Signed: June 11, 2020

**IT IS SO ORDERED.**



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Martin Reidinger  
Chief United States District Judge

